United Nations A/65/218

General Assembly

Distr.: General
2 August 2010

Original: English

Sixty-fifth session
Items 25 and 28 (a) of the provisional agenda*

Operational activities for development: operational activities for development of the United Nations system

Advancement of women

Activities of the United Nations Development Fund for Women

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report on the activities of the United Nations Development Fund for Women, prepared pursuant to Assembly resolution 39/125.

* A/65/150.

10-47349 (E) 090910

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Summary

The present report provides a review and update of progress of the programme and activities of the United Nations Development Fund for Women (UNIFEM) as framed in its strategic plan, 2008-2013. The report tracks overall progress and highlights concrete results of the support that UNIFEM provided to countries in 2009. The report concludes with a set of recommendations on the ways in which the development effectiveness and organizational effectiveness of UNIFEM can be further strengthened.

This is the last report to be submitted in fulfilment of the mandate set out in resolution 39/125, given that UNIFEM has been dissolved and is now part of the composite United Nations Entity for Gender Equality and the Empowerment of Women, to be known as UN Women, established by the Assembly in its resolution 64/289.

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I. Introduction

1. On 2 July 2010, in its resolution 64/289, the General Assembly established the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) "by consolidating and transferring to the Entity the existing mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women of the Secretariat, as well as those of the United Nations Development Fund for Women (UNIFEM) and the International Research and Training Institute for the Advancement of Women". The new entity will also assume "the additional role of leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and the empowerment of women ...".

2. Until replaced by a new strategic plan, UNIFEM (to become part of UN Women) will report on its current plan for 2008-2013. The overall goal of the plan is to ensure that national commitments to advance gender equality and women's empowerment are implemented in stable and fragile States. The Executive Board authorized implementation of the plan (DP/2007/45) in its decision 2007/35 and extended it in decision 2009/13. UNIFEM works in partnership with Governments, civil society and United Nations organizations to strengthen women's economic security and rights, end violence against women, reduce the prevalence of HIV/AIDS among girls and women and advance gender justice in democratic governance, including in conflict-affected and post-conflict countries.

3. The strategic plan contains the elements of the UNIFEM accountability framework, against which UNIFEM measures: (a) its contributions to progress on gender equality at the national, regional and global levels, on the basis of the outcomes, outputs and corresponding indicators in the development results framework; (b) its performance, on the basis of the outputs, indicators and targets in its managing for results framework; and (c) its progress towards mobilizing, allocating and expending the financial resources required for implementing the plan, as laid out in its integrated resources framework and in accordance with Executive Board decision 2004/20.

4. The present report covers the second year of implementation of the UNIFEM strategic plan for 2008-2013.

II. Context

5. Over the past 30 years, far-reaching commitments to advance gender equality and women's empowerment have been agreed at the global, regional and national levels. The Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform for Action, Security Council resolutions 1325 (2000) and 1820 (2008) and the Millennium Development Goals continue to serve as relevant normative frameworks, along with notable new commitments made in 2009, including Security Council resolutions 1888 (2009) and 1889 (2009). Furthermore, numerous regional agreements are evidence of the increasingly solid normative platform for gender equality, including, but not limited to, the Convention of Belém do Pará in Latin America and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. At the same time, women continue to face the enormous challenges arising from the global economic

crisis, conflict and natural disasters, gender-based violence and the HIV epidemic. Effective implementation is central to ensuring that these agreements are converted into concrete, measurable progress for women and girls.

III. Overview

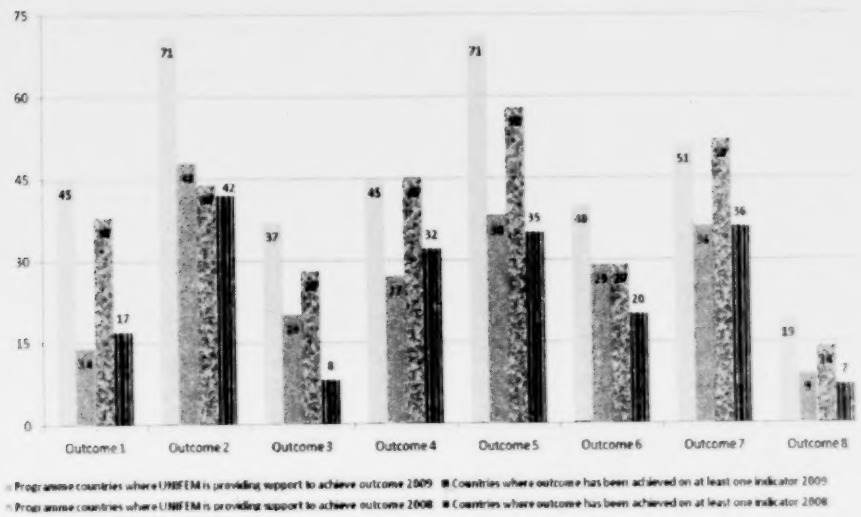
6. UNIFEM is a demand-driven organization, responding to requests for technical and programming support where opportunities arise and where gaps are most pressing. While demand consistently exceeds the Fund's capacity to respond, as was the case in 2009, an expanding resource base has helped UNIFEM to offer support to more countries. UNIFEM was able to respond to requests for programming and technical support in 98 countries, compared with 82 in 2008, in the four thematic areas comprising its development results framework. As shown in figure I, UNIFEM provided support to 81 countries to advance gender equality in the context of governance, peace and security; to 80 countries for women's economic security and rights; to 25 countries on the gender dimensions of HIV/AIDS; and in the area of greatest increase — support to ending violence against women — the number of countries receiving support increased to 79 in 2009 from 56 in 2008. Figure II shows a similar trend in UNIFEM support to countries in making progress towards the achievement of the eight outcomes that frame the UNIFEM strategic plan, as in 2008, with a notable acceleration of support to legal and policy reform for gender equality.

Figure I

Number of programme countries for which UNIFEM was able to respond to support requests in 2008 and 2009, by theme

Figure II

Number of programme countries for which UNIFEM was able to respond to support requests in 2008 and 2009, by outcome



7. Figure III indicates that UNIFEM expenditure trends in 2009 were similar to those of 2008, with the capacity development of gender equality advocates, including national machineries for women and women's regional, national and local organizations and networks (outcomes 5 and 6) accounting for the largest share. This is consistent with the theory of change underpinning the strategic plan, according to which strengthening the effectiveness of these key interlocutors will generate positive change for gender equality at the legal and policy levels and better equip advocates to partner with Governments and other development actors to enhance their accountability for implementing commitments. The thematic distribution of expenditures (figure IV) is also similar to that of 2008. While expenditures under the HIV theme remained low, it is worth noting that this theme saw the largest percentage increase.

Figure III
Provisional programme expenditure distribution by outcome in 2008 and 2009
(Millions of United States dollars)

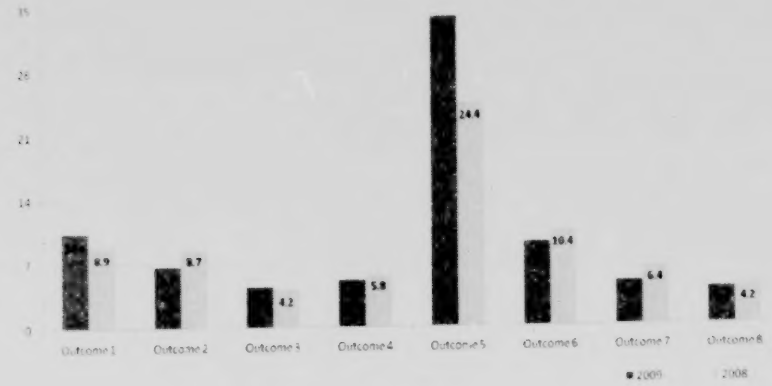
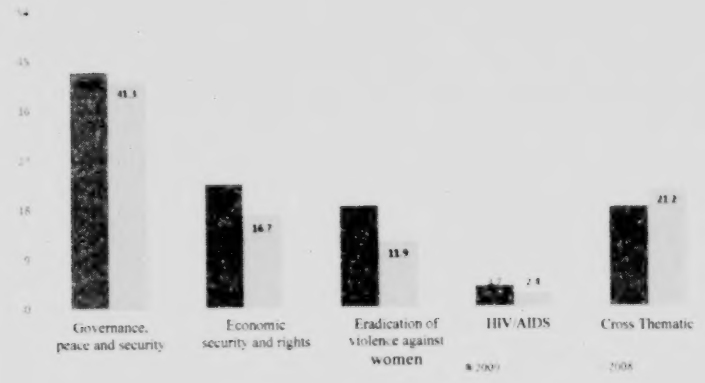


Figure IV
Provisional 2008 and 2009 programme expenditure distribution, by theme
(Millions)



8. UNIFEM works with numerous partners, including Governments, United Nations organizations, women's networks and civil society. Figures V and VI illustrate the range of partners with whom UNIFEM works to contribute to results outlined in the strategic plan. The majority of partners (figure V) are in Government and include institutions, ministries, local governments, the security sector, parliaments, national commissions and national women's machineries. Within the United Nations system (figure VI), UNIFEM partners most frequently with the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations Children's Fund (UNICEF), which combined account for approximately 50 per cent of the total number of United Nations partnerships as reflected in the development and management results frameworks.

Figure V
All partners in 2009

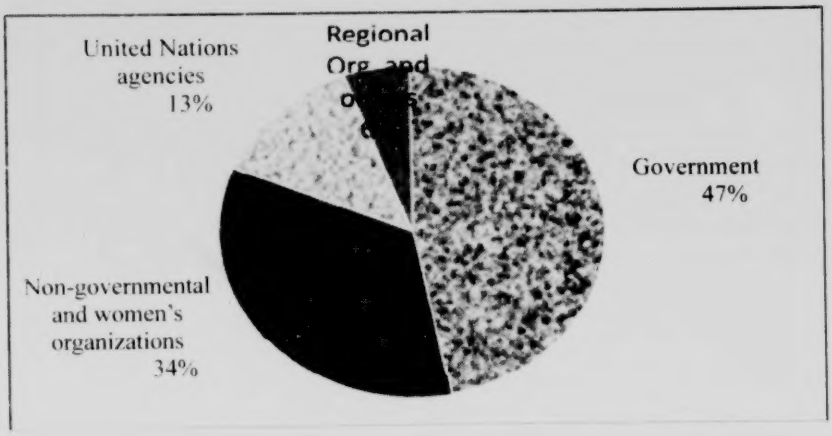
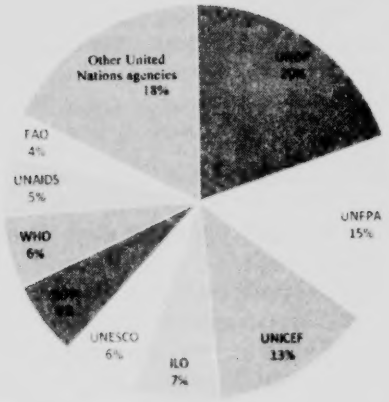


Figure VI
United Nations partners in 2009

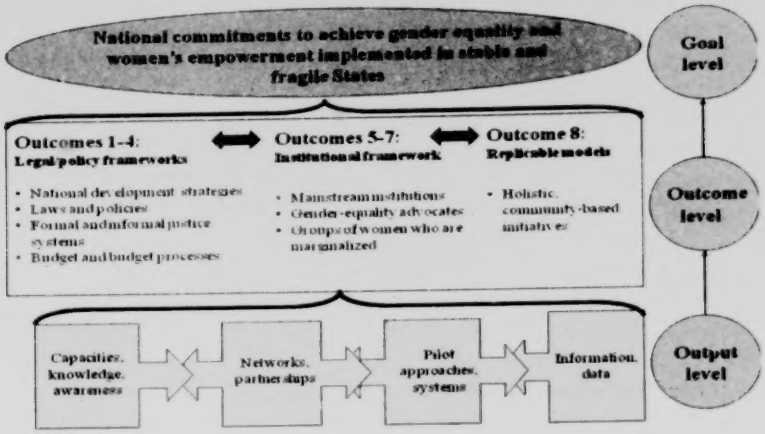


IV. Development results framework

9. The UNIFEM development results framework contains eight outcome-level results that together represent a comprehensive effort to support countries in advancing implementation of their commitments to gender equality. The framework is based on a holistic approach that requires support for simultaneous change at the macro, meso and microlevels. In this regard, UNIFEM supports partners to enhance the gender responsiveness needed from the national policy environment and mainstream institutions in order to deliver on commitments. It also supports gender equality advocates in building their capacity and knowledge for intensifying action and accountability. UNIFEM support for innovative pilot programmes generates

credible evidence of effective work at the microlevel to inspire replication and upscaling. Figure VII illustrates the development results logic that drives the work of UNIFEM (see DP/2007/45 for a description of outcomes).

Figure VII
Development results logic



10. The section that follows describes the progress made towards achieving results at three levels, according to the eight outcome-level results described above and within each of the four thematic areas. All results reported are country-owned results and the role of UNIFEM is to support partners in their efforts to make progress towards achieving them.

A. Enhancing women's economic security and rights

11. UNIFEM supports efforts to enhance women's economic security and rights through programmes that: (a) strengthen the gender equality dimensions of macroeconomic policies, including national development frameworks; (b) increase financing of gender equality commitments in strategies relating to poverty reduction and the Millennium Development Goals; and (c) enable women to enhance their rights in specific sectors of the formal and informal economy and to have equitable access to productive assets.

12. In this thematic area, UNIFEM worked with Government partners — including ministries of finance, planning and labour and national women's machineries — networks of economists, women's non-governmental organizations, excluded groups of women (migrant workers, home-based workers and rural women) and United Nations country teams. UNIFEM and its partners worked to: (a) incorporate national commitments to gender equality and women's empowerment in 15 national or regional poverty-reduction or other economic frameworks; (b) support efforts towards the adoption of 20 laws or policies that advanced women's economic capacities and rights in 13 countries (compared with 15 in 2008); (c) support expansion of access to legal assistance for women to enhance their economic rights

in five countries (compared with seven in 2008); and (d) support to institutionalize gender-responsive budgeting in 27 countries (compared with 32 in 2008).

13. In cooperation with many United Nations partners — most often with UNDP — UNIFEM supported national partners to strengthen the gender equality commitments contained in two approved poverty reduction strategies in 2009 (compared with seven in 2008) and 12 newly adopted or revised national development strategies or other policy frameworks, including national plans and strategies relating to employment, donor coordination and environmental standards (compared with 12 in 2008), and one regional development strategy. UNIFEM supported gender equality advocates from both Government and civil society to engage in multi-stakeholder platforms, providing analyses relating to the impact of new aid modalities on women's empowerment and advocating for the inclusion of agreed national commitments, such as national plans of action on gender equality, where such plans existed.

14. For example, with European Union support for aid effectiveness, the Government of Cameroon formed a multi-stakeholder platform through a decree from the Ministry of Planning to oversee national development processes and the aid process. Gaps relating to gender equality within Vision 2035 and the Strategy Document for Growth and Employment were identified through the coordinated efforts of the Gender Equality Working Group, which used the national gender policy as a basis for the effective mainstreaming of gender equality in the national plans. Specific gender equality commitments included in the plans centre on boosting women's participation in decision-making processes, reducing maternal mortality, increasing women's economic potential and integrating a gender dimension into planning and budgetary processes at all levels.

15. In 2009, UNIFEM supported legal and policy reform, often in partnership with the International Labour Organization and ministries of labour, including through: continuing efforts across Asia to protect women's rights in the context of migration; securing women's rights to land in several countries of the Commonwealth of Independent States, as well as in Ecuador and Rwanda; introducing laws to address sexual harassment in the workplace in Bolivia (Plurinational State of), Nepal and Pakistan and in countries in West Africa; legislating equal employment opportunities in Kazakhstan and the Republic of Moldova; strengthening the legal framework in the Plurinational State of Bolivia to quantify household work so that it can be reflected in the national accounts and the gross national product; and introducing more effective policies to protect women in the informal economy in Pakistan and Papua New Guinea.

16. Crucial in the context of the economic and financial crisis, UNIFEM supported stronger social protection legislation in Albania, Kyrgyzstan and throughout the Caribbean region. Working with the United Nations system in the context of the "Delivering as one" pilot, the Ministry of Labour, Social Affairs and Equal Opportunities of Albania integrated gender equality concerns into the revised social assistance/economic aid law on the basis of the findings of a local beneficiary analysis conducted in two municipalities. The main revisions were focused on expanding the categories of female-headed households eligible for economic aid.

17. In 2009, UNIFEM continued its support, initially extended in 2001, to gender-responsive budgeting initiatives. Results included an increase in the number of budget processes that reflected efforts to incorporate gender equality. With UNIFEM

assistance, ministries of finance issued or reissued gender-responsive budgeting guidelines in 10 countries in 2009[1] (compared with 16 in 2008). In 2009, UNIFEM also supported the incorporation of gender-equality measures in sector and local budget processes in 23 countries (compared with 17 in 2008). Monitoring mechanisms to track progress of gender-responsive budgeting initiatives were initiated or strengthened by civil society and Government partners in 14 countries (compared with the same number in 2008).

18. Allocations for gender-responsive budgeting efforts in Nepal — based on data generated by an information system that tracks budget allocations for gender-responsive programmes — increased from 14 per cent in 2008/09 to 17 per cent in 2009/10. This information system was put in place by the Ministry of Finance following the recommendation of the Gender-Responsive Budgeting Committee. In Morocco, UNIFEM has supported gender-responsive budgeting since 2001 and continues, in collaboration with the Ministry of Economy and Finance, to deepen its support to sectoral ministries for capacity development and the provision of technical support. The gender report accompanying the country's 2010 finance law included 25 line-ministry departments, up from 21 in 2008 and an initial four in 2006.

19. Supporting the sustainable capacities of gender-equality experts and mainstream institutions to advocate for, monitor and/or implement gender equality commitments on women's economic security and rights is critical to progress in this area. In 2009, UNIFEM supported women's governmental and non-governmental organizations in 23 countries (compared with 26 in 2008) by helping them to participate in decision-making forums relevant to the economic policies affecting women's lives and by encouraging dialogues with decision makers to strengthen monitoring and accountability. UNIFEM also provided support to networks of economically excluded women — including women living in rural areas, indigenous women, HIV-positive women, migrant women and home-based women workers — in 20 countries (compared with 13 in 2008) to help them develop a common agenda. Moreover, UNIFEM capacity development efforts contributed to enhancing the performance of key ministries in 15 countries, including those of labour, finance, education, justice, trade and agriculture, as well as regional organizations and statistics bureaux to promote implementation of laws and policies relating to women's access to decent work, productive resources and social protection.

20. UNIFEM works with policy, service-delivery and media institutions to create enabling environments that promote and protect women's economic security and rights. Through initiatives with ministries of labour, UNIFEM supported efforts to enhance social protection for working women in Cambodia, Jordan, Kyrgyzstan, Nicaragua, Panama, the Republic of Moldova and Serbia. In Cambodia, the standardized contract for overseas Cambodian migrant workers was developed, finalized and readied for approval by the Ministry of Labour.

21. UNIFEM partners with mainstream development actors to identify promising pilot initiatives that can demonstrate innovative approaches to enhancing women's economic security and market opportunities, and invests increasingly in rigorous evaluations to generate learning that supports upscaling or replication by national,

[1] Bolivia (Plurinational State of), Cameroon, Ecuador, Egypt, Indonesia, Morocco, Mozambique, Rwanda, Timor-Leste and Venezuela (Bolivarian Republic of).

regional or international partners. In 2006, UNIFEM began a four-year partnership with the World Bank and the International Centre for Research on Women in a pilot programme of results-based initiatives for women's economic empowerment in six countries that incorporate impact evaluation (40 per cent of the budget) as part of programme design. In Egypt, the Government adopted a corporate seal of approval, embraced by 10 private-sector companies, along with an assessment methodology for human resources departments to determine levels of gender equality in the workplace. The country's Ministry of Investment established the Gender Equity Certification Unit to ensure replication and upscaling of such initiatives at the national level.

B. Ending violence against women

22. Ending impunity, encouraging greater investment in prevention and expanding partnerships with men, boys and faith-based organizations are key priorities in UNIFEM support to countries to end violence against women. The Secretary-General's campaign "UNiTE to End Violence against Women" (UNiTE Campaign) and successive General Assembly resolutions have stimulated increased action on ending violence against women at the country level and throughout the United Nations system. On behalf of the United Nations system, UNIFEM administers the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, as designated by the General Assembly in its resolution 50/166.

23. UNIFEM work in this thematic area is in line with the goals of the UNiTE Campaign, which aims to achieve the following five outcomes in all countries by 2015: (a) adopt and enforce national laws to address and punish all forms of violence against women and girls; (b) adopt and implement multisectoral national action plans; (c) strengthen data collection on the prevalence of violence against women and girls; (d) increase public awareness and social mobilization; and (e) address sexual violence in conflict.

24. With an increasing number of countries adopting national laws, policies and strategies to end violence against women, it is critical that these agreements be reflected in mainstream national strategies and budgets. In 2009, UNIFEM supported partners to successfully advocate for the inclusion of commitments to end violence against women in national development strategies in three countries (compared with five in 2008); contributed to efforts to secure approval of 16 laws (compared with eight in 2008) and five policies (compared with seven in 2008) relating to multiple forms of violence against women; and supported efforts to end impunity for violations of women's rights, which resulted in justice system reforms in six countries[2] (compared with four in 2008).

25. In 2009, UNIFEM support to its partners resulted in the approval of laws, including in Afghanistan, Colombia, Mexico and Rwanda. In Afghanistan, UNIFEM has worked with civil society activists, parliamentarians and the Parliamentary Women's Commission since 2007, and by July 2009, these efforts had resulted in the reform and the signing of the Ending Violence against Women law, which marks the first time in the country's history that rape and violence against women have been criminalized. As part of an overall United Nations effort to strengthen the rule

[2] Argentina, China, India, Guinea, Nepal and Sierra Leone.

of law in the context of the One United Nations Initiative, 2008-2011, UNIFEM support in Rwanda has enabled survivors of sexual or other forms of violence to claim for damages.

26. UNIFEM partnered with Governments to support the development of the capacities of decision makers in formal and informal justice systems in efforts to end violence against women, including by ensuring that women survivors of violence could access legal assistance under 15 country/territory programmes[3] (compared with 11 in 2008), through support to capacity development for paralegals, the development of guidelines, awareness-raising on access to services at the community level; and capacity development of men and women judges in 10 countries.

27. A sampling of results achieved in 2009 included the following: in Nepal, in-camera hearings guidelines were finalized and adopted by the National Judicial Academy; and in Hunan Province, China, the first-ever landmark judicial guidelines on domestic violence cases were adopted. In Argentina, the Supreme Court of Justice established the Office for Domestic Violence and the Women's Office — the first entities of their kind at the national level. In addition, courts in all 20 provinces of Argentina have signed agreements to replicate the Office for Domestic Violence at the provincial level. UNIFEM, UNDP and UNICEF supported this effort, including by sponsoring exchange visits between the Supreme Court and the provincial courts.

28. UNIFEM works to support capacity-building for gender equality advocates in the areas of advocacy, policy influence and political space in order to bring an end to violence against women. In 2009, UNIFEM supported efforts in seven countries[4] to strengthen capabilities for tracking the implementation of commitments; national women's machineries in nine countries to lead cross-sectoral efforts to improve policies and services delivery; and additional efforts to localize funding sources. UNIFEM worked with police, national statistics bureaux and a range of Government ministries — including health and education ministries and ombudsperson offices — to track the prevalence of gender-based violence and increase the availability of services for survivors in 31 countries (compared with 11 in 2008).

29. In 2009, UNIFEM supported women's networks to monitor commitments to end violence against women through prevalence and opinion surveys and/or through the creation of databases and observatories in Algeria, Mexico and Morocco. The Ministry of Women's Affairs of Cambodia, one of the few countries to establish a national Millennium Development Goals target on ending violence against women, commissioned a follow-up to a baseline survey conducted in 2005 to collect information and monitor changes in attitudes and behaviours as a result of the Government's performance in implementing anti-violence measures, and made a number of key policy recommendations.

30. UNIFEM joined other entities in the United Nations system in initiatives to engage men and boys in efforts to end violence against women. These activities involve support to men's networks focused on these issues, and to work in areas that

[3] Afghanistan, Ecuador, Ethiopia, Fiji, Haiti, India, Kenya, Morocco, Nepal, Nigeria, the Occupied Palestinian Territories, Rwanda, Sierra Leone, Uganda and the United Republic of Tanzania.

[4] Afghanistan, Algeria, Cambodia, Ecuador, India, Mexico and Morocco.

traditionally have been predominately male, such as the leadership of faith-based groups, the judiciary and the security sector. Notably, UNIFEM is expanding its partnerships with networks of men and boys at global, regional and national levels, including with Promundo and the MenEngage Alliance.

31. UNIFEM has increased its efforts to build the capacities of police to respond to violence against women, track cases and/or link with other services, such as medical and legal assistance, in 16 countries and territories and one region.[5] Particularly noteworthy is the recognized leadership of the Rwanda National Police and the Rwandan Defence Forces, both of which are regularly consulted throughout Africa for technical assistance and training programmes for police and the military on effective strategies to end violence against women, with strong support from UNDP.

32. At the community level in 2009, progress was made in furthering the development of the global programme Safe Cities Free of Violence against Women and Girls 2008-2014, which includes a strong impact-evaluation component intended to develop a proven model for upscaling by municipalities. A memorandum of understanding was signed with the United Nations Human Settlements Programme to formalize inter-agency collaboration. In addition, a critical partnership of lead expert organizations was formed, which includes Women in Cities International, Red Mujer y Habitat de América Latina and the International Centre for Research on Women.

C. Halting the spread of HIV and AIDS among women and girls

33. At the global level, 2009 saw a renewed focus on the gender dimensions of HIV/AIDS in the development of the Joint United Nations Programme on HIV/AIDS (UNAIDS) Action Framework on Women, Girls, Gender Equality and HIV/AIDS, supported by an operational plan with key accountability outlined for the United Nations system, under the leadership of UNAIDS, and endorsed by the UNAIDS Programme Coordinating Board. Although not a UNAIDS co-sponsor, UNIFEM participated in the development of the Action Framework; is a member of the Global Task Force on Women, Girls, Gender Equality and HIV/AIDS; and co-chairs the Global Coalition on Women and AIDS.

34. To promote a coherent, gender-sensitive approach to halting the spread of HIV, UNIFEM works in collaboration with the United Nations system, national AIDS councils and civil society partners, giving priority to support for HIV-positive women's networks to advocate for increased attention to key gender and women's human rights concerns, addressing interlinkages between HIV and violence against women and mainstreaming gender into national AIDS plans.

35. National AIDS plans are central planning tools that guide work in various sectors and behind which donors align their support. In 2009, working with Governments, civil society and United Nations system partners, UNIFEM supported

[5] Afghanistan, Argentina, Burundi, Haiti, Liberia, Mexico, Nigeria, Rwanda, Sierra Leone, the Sudan, Thailand, Timor-Leste, Uganda, the United Republic of Tanzania and Venezuela (Bolivarian Republic of), Kosovo (as defined by the Security Council in its resolution 1244 (1999)), and in eight Caribbean nations through the Association of Caribbean Commissioners of Police, an umbrella organization for 24 police agencies in the region.

the integration of gender equality into HIV strategies at the national level in three countries, the Democratic Republic of the Congo, Liberia and Rwanda (compared with one country in 2008).

36. The long history of UNIFEM support to HIV-positive women's groups was cited in the 2006 evaluation of UNIFEM: programming in this area was found to be a key strategy for increasing attention to the gender dimensions of the epidemic. In 2009, UNIFEM supported HIV-positive women's networks and groups to develop specific calls for Government action in 12 countries[6] (compared with five countries in 2008) and supported the advocacy efforts of two regional networks and one global network).[7] These groups have articulated a range of issues, including: an end to stigmatization, discrimination and violence; increased access to antiretroviral therapy; improved livelihoods options; and support for home-based care work.

37. In 2009, UNIFEM also supported partners to strengthen service delivery to women infected or affected by HIV through mainstream institutions in nine countries[8] and throughout the Caribbean region. This work addressed the intersections of violence against women and HIV by, for example, supporting a protocol for the Ministry of Health in Ecuador and offering health, education and social service sector training in the Caribbean region. UNIFEM also supported efforts to expand service centres that address violence against women to include counselling and HIV testing in Rwanda and Nigeria.

38. In 2009, UNIFEM deepened its support to the national AIDS control programme in Cambodia, where it has supported the placement of gender advisers, and in Nigeria, where a gender manager supports national policy development and implementation. The latter case became a model for a programme financed by the European Commission, on the basis of which UNIFEM plans to support similar work in five countries.

39. Since 2006, the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women has provided support to a learning cohort of seven grantees that generate knowledge on how to address the intersections between violence against women and HIV in order to develop effective approaches for replication and upscaling. In 2009, in partnership with PATH (Program for Appropriate Technology in Health), it continued to provide that group of grantees with technical assistance for the development and implementation of rigorous monitoring and evaluation systems.

40. With the support of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, State hospitals in Nigeria have established police-doctor and post-exposure prophylaxis coordinators through multisectoral anti-violence committees, which operate as referral systems and extend to six communities across two States to address the intersection between HIV/AIDS and violence against women. The committees identify and address related cases and institutionalize protocols across health, law enforcement and legal sectors. Capacity

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[6] Ecuador, Haiti, India, Indonesia, Liberia, Mexico, Mozambique, Pakistan, Rwanda, Somalia, Uzbekistan and Venezuela (Bolivarian Republic of).

[7] Regional networks in Asia and the Pacific and in the Caribbean; and the Global Caregivers Alliance.

[8] Cambodia, China, Democratic Republic of the Congo, Ecuador, Côte d'Ivoire, Ghana, Indonesia, Liberia and Nigeria.

development activities have succeeded in engaging men and boys, in particular traditional rulers, who are active in the committees and committed to their sustainability.

D. Advancing gender justice in democratic governance

41. One of the pillars of UNIFEM work to advance democratic governance is to support the development of participatory, responsive, equitable and inclusive decision-making processes, including in post-conflict settings.

42. In 2009, UNIFEM worked in partnership with national women's machineries, women's community-based non-governmental organizations, gender-equality advocates, United Nations country teams and many Government partners to secure the incorporation of commitments to gender equality and women's empowerment into humanitarian relief strategies in three countries and support the passage of 33 laws or policies strengthening women's participation in democratic governance (compared with 27 in 2008). UNIFEM supported: (a) eight countries in developing national action plans pursuant to Security Council resolution 1325 (2000), with four finalized; (b) five countries in introducing stronger gender equality provisions in their constitutions, with one ratified; (c) 11 countries[9] in the formulation of national plans and policies on gender equality; and (d) a regional gender policy for the African Union and for Aceh Province in Indonesia.

43. In many cases, more targeted reporting by the Committee on the Elimination of Discrimination against Women has enabled UNIFEM Consultative Committee members to provide stronger recommendations that have in turn influenced policies at the national level. A positive trend in 2009 saw the development of action plans to accompany gender policies in Kazakhstan, Kyrgyzstan and Mali, and examples of budgeted plans in the Republic of Moldova and Serbia.

44. At the global, regional and national levels, UNIFEM is supporting Member States and national partners to advance the implementation of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009). As host of the secretariat of the United Nations Action against Sexual Violence in Conflict initiative, UNIFEM played an important role in its work with partners to support evidence-based advocacy in the lead-up to the adoption of resolutions 1888 (2009) and 1889 (2009). The value of this contribution was noted in an independent assessment undertaken by the Department for International Development of the United Kingdom of Great Britain and Northern Ireland.

45. Leading up to the tenth anniversary of Security Council resolution 1325 (2000), in 2010, UNIFEM continued its participation in a series of inter-agency efforts that in 2008 began to support partners in adopting national action plans pursuant to that resolution in Liberia, Nepal, Rwanda and Uganda. In Liberia, leadership at the highest levels ensured increased budgetary allocations across multiple sectors to implement the action plan, and the Liberia National Police and the Ministry of Justice mobilized funds to set up a sexual crimes unit. Together with the Office of the Special Adviser on Gender Issues and Advancement of Women and

[9] Bolivia (Plurinational State of), Colombia, Democratic Republic of the Congo, Kazakhstan, the Republic of Moldova, Morocco, Niger, the Philippines, Rwanda, Serbia and the Syrian Arab Republic.

the Inter-Agency Task Force on Women, Peace and Security, UNIFEM is leading an initiative to build on national efforts to develop global indicators on the implementation of resolution 1325 (2000), as mandated in resolution 1889 (2009).

46. The driving force behind all UNIFEM actions to advance gender equality is its partnerships with women's networks, both governmental and non-governmental. In 2009, UNIFEM supported initiatives to develop the capacity of gender-equality advocates to press for, monitor and support the implementation of national commitments to gender equality in 71 countries (compared with 58 in 2008). This included support to national women's machineries, key political parties to promote women's rights in eight countries[10] (compared with six in 2008), and women to develop common agendas for peace and reconciliation in eight countries.

47. In 2009, UNIFEM provided support in the areas of organizational development, training, research and planning to enable national women's machineries to lead, facilitate, monitor and support gender mainstreaming throughout Government ministries. UNIFEM also supports such machineries by developing their capacities to work effectively with other Government ministries, civil society organizations and non-governmental organizations to develop and implement national policies on women.

48. UNIFEM support to national women's machineries in the Andean region contributed to the creation of the Andean Council of Senior Advisers on Women and Equal Opportunities by the Andean Community. This Council, comprised of high-level representatives, such as ministers, secretaries of State or other equivalent Government representatives, works to promote equal opportunities between women and men, eliminate violence against women and build a more just and equitable new regional society.

49. Supporting coalitions of women that work together across lines of conflict to call for attention to women's human rights remains one of the most effective paths to strengthening gender equality in peacebuilding and post-conflict resolution. UNIFEM has 15 years of experience in supporting the efforts of these coalitions to attain their rightful place at negotiating tables. In 2009, UNIFEM was most deeply engaged with: coalitions of women in Afghanistan and of Afghan and Pakistani women; the International Women's Commission for a Just and Sustainable Israeli-Palestinian Peace; women's coalitions in the Sudan and Uganda; and women's groups in the Balkans and Georgia.

50. As part of its ongoing efforts to ensure that women's voices influence decision-making, UNIFEM worked with the Institute for Inclusive Security to bring Afghan gender equality advocates to the International Conference on Afghanistan. The delegation highlighted priorities that were included in the final communiqué of the Conference, including a commitment to fully implement the National Action Plan for the Women of Afghanistan and the recently signed Law on Elimination of Violence against Women.

51. At the community level and with support from the Department for International Development of the United Kingdom, UNIFEM is implementing a programme on women's participation in peacebuilding in six post-conflict

[10] Antigua and Barbuda, China, Indonesia, Morocco, Nepal, Pakistan, Rwanda and Uruguay.

countries[11] that is generating replicable approaches. In Liberia, community-based "peace huts" help to develop the capacity of community groups in institutional and business management and adult literacy. The project is being replicated within two United Nations joint programmes and discussions are under way to bring the model to the national level through the Ministry of the Interior.

E. Gaps and challenges: development results framework

52. Gaps and challenges related to support for countries in advancing their national priorities under the UNIFEM thematic areas include: linking the capacity-building of political aspirants to actual changes in the percentage of women elected, and further translating these gains into improved public-service delivery for women through increased accountability; increasing work with political parties to make the issue of violence against women candidates and leaders more visible and to strengthen partnerships with other actors that are supporting efforts to confront this challenge; and strengthening programmatic and policy responses to bring attention to and take action on the gender dimensions of HIV/AIDS.

53. Additionally, while significant improvements have been made and efficiencies gained in the results-based reporting emanating from the computerized tracking system launched in 2009, additional support and internal capacity development are required to continuously improve the relevance and validation of reporting, including to demonstrate contributions to country-level results.

V. Management results framework

54. The management results framework tracks UNIFEM performance across four result areas: policy advice and catalytic programming; United Nations coordination and reform; accountability, risk and oversight; and administrative, human and financial capacities. Unlike the development results framework — which contains both outcome- and output-level results — the management results framework, for which UNIFEM is wholly responsible, contains 17 outputs and 58 indicators, against which UNIFEM tracks progress and gaps.

55. UNIFEM efforts in this area are guided by General Assembly resolutions 62/208 and 59/250 on the triennial comprehensive policy review of operational activities of the United Nations system, in which the General Assembly called upon the United Nations development system to avail itself of UNIFEM technical experience on gender issues and encouraged UNIFEM to strengthen its efforts to provide strategic guidance to the United Nations system on gender equality.

A. Policy advice and catalytic programming (Area 1)

56. This result tracks the extent to which UNIFEM develops systems to ensure that it learns from, improves and documents how its provision of advocacy, technical support and catalytic programming advance gender equality and women's empowerment.

[11] Afghanistan, Haiti, Liberia, Rwanda, Timor-Leste and Uganda.

57. An essential element is the establishment of state-of-the-art evaluation practices that align with United Nations Evaluation Group standards. UNIFEM is making good progress in this area; it has finalized its evaluation policy and is implementing gender-responsive evaluation training modules with its staff and partners.

58. As part of an effort to continuously improve evaluation practice, in 2008, the UNIFEM Evaluation Unit conducted an internal review to establish a baseline. A 2009 assessment identified a 10 per cent improvement in evaluation quality in comparison with 2008. The Evaluation Resource Centre will be fully functional in 2010 and will publicly post all evaluations and management responses to evaluations. A total of 11 management responses were produced in 2009.

59. UNIFEM produces guidance for the United Nations and other partners to strengthen knowledge and practice to advance gender equality and women's empowerment. In 2009, highlights included guidance notes for mediators in five key areas of peace negotiations that contributed to discussions relevant to Security Council resolutions 1888 (2009) and 1889 (2009); guidance on integrating gender-responsive budgeting in the aid effectiveness agenda; the launch of a virtual knowledge centre on ending violence against women; and an accountability checklist for national AIDS planning.

60. Nine efforts to replicate or upscale UNIFEM-supported initiatives were tracked in 2009 (compared with eight in 2008). They included the replication of the Rwanda National Police and the Rwandan Defence Forces training curricula to fight violence against women and/or gender desks in eight instances;[12] and the upscaling of community-based training for a women migrant workers initiative in 40 villages by the Government of Indonesia, supported by the Australian Agency for International Development, the Government of Japan and the World Bank.

B. United Nations coordination and reform (Area 2)

61. In 2009, UNIFEM expanded participation in United Nations coordination and reform processes at all levels and was engaged in 95 joint programmes (compared with 72 in 2008 — see figure VIII) and participated in eight "Delivering as one" pilots. UNIFEM participates in or leads gender theme groups in 69 countries, as well as 75 other coordination mechanisms at the global, regional and country levels (figure IX). UNIFEM continued to contribute to promoting stronger attention to gender equality, participating in 13 common country assessments and United Nations development assistance frameworks in 2009. Also in 2009, seven United Nations country teams called on UNIFEM to conduct gender audits.

[12] Burundi, Fiji, Kenya, Nigeria, south Darfur, south Sudan, United Republic of Tanzania and Uganda.

Figure VIII
UNIFEM participation in joint programmes

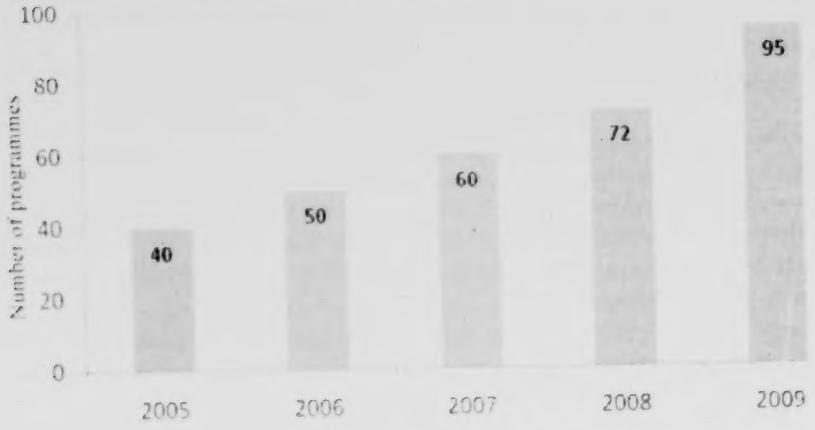
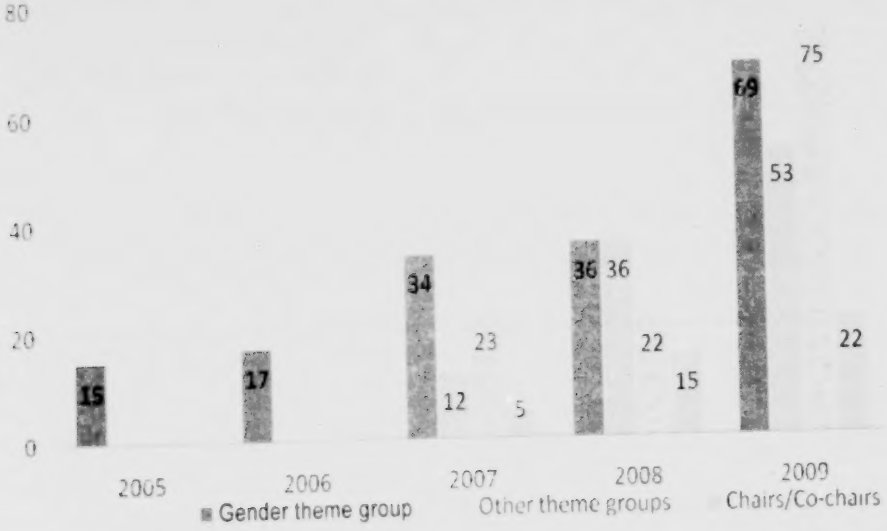


Figure IX
Yearly trend: number of gender coordination mechanisms led or co-led by UNIFEM, 2005-2009



62. UNIFEM prioritized support to United Nations system-wide efforts by actively participating in three task forces convened by the Deputy Secretary-General (gender architecture, the UNiTE Campaign and the rule of law); continued stewardship of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women; hosting the secretariat of the United Nations Action against Sexual Violence in Conflict initiative; and co-chairing the working group on programming issues for the United Nations Development Group.

63. The 17-member United Nations Development Group Task Team on Gender Equality, which UNIFEM chaired for three years, produced an agreed set of

performance indicators on gender equality for United Nations country teams, which was distributed to United Nations country teams in 2008. In 2009, the Task Team tracked their implementation in eight countries, while 40 other countries are in different stages of implementation planning.

C. Accountability, risk and oversight (Area 3)

64. In 2009, UNIFEM addressed the management issues of accountability, risk and oversight by strengthening staff capacity to monitor and report on results and continuing the phased delegation of authority of operational and programmatic business processes from headquarters to subregional offices.

65. Efforts to improve results tracking and reporting systems focused on finalizing and fully implementing the electronic results tracking system for the strategic plan. The system enables UNIFEM to perform better results-based quantitative and qualitative analyses, comparative across years, with results being linked to budgets and expenditures and verified by supporting documentation. UNIFEM also commissioned a review, the results of which will be available in 2010, of the quality of design and results orientation of its programme documents and the rigour of its programme appraisal processes.

66. UNIFEM also strengthened its policy, oversight and monitoring capacity, including through the delegation of authority. Seven offices have met the criteria for and been granted delegated authority. At the end of 2009, a total of 11 internal control frameworks from the field and headquarters units had been developed and approved. Reports based on enterprise resource planning system (Atlas) information are being systematically used throughout UNIFEM as risk management tools. A total of 12 internal audits were conducted between 2006 and 2009, which means that approximately 70 per cent of the subregional offices were audited at least once during the most recent three-year period.

D. Administrative, human and financial capacities (Area 4)

67. This output area tracks the extent to which UNIFEM has the administrative, human and financial capacities to respond to requests for technical expertise and financial support. Wave II of the Atlas enterprise resource planning system used by UNIFEM and other United Nations funds and programmes has been in place since January 2009 and is running satisfactorily.

E. Gaps and challenges: management results framework

68. While the UNIFEM management results framework recorded significant output results in 2009, reporting and reviews suggest that systems and knowledge should be enhanced to improve performance in a number of areas.

69. UNIFEM is working with the United Nations Development Group to develop a standard operational format and guidance for reporting progress on the United Nations Development Assistance Framework. UNIFEM will also revise its reporting guidelines to ensure consistency with the standard operational format and more

systematically assess its contributions to United Nations country team commitments.

70. In 2010, UNIFEM will continue to invest in strengthening technical platforms and staff capacities for knowledge management to enable greater access to distilled knowledge assets for internal and external consumption.

VI. Integrated resources framework

71. The number of countries contributing to UNIFEM regular and other resources increased from 80 in 2008 to 102 in 2009. The number of multi-year pledges more than doubled over the year, from 11 to 24. Contributions for 2009 increased by 14 per cent to $138 million, compared with $121 million in 2008. Core contributions increased to $62 million, an increase of 21 per cent over the 2008 total of $51 million; while non-core contributions (excluding special trust funds managed by UNIFEM) increased by $6 million, or 8 per cent, to reach $76 million. An additional $3.6 million was received for the Fund for Gender Equality in 2009, over the initial $65 million granted by the Government of Spain in 2008. Contributions to the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women increased by $5 million, or 27 per cent, to reach $23 million in 2009.

72. UNIFEM reached delivery of 85 per cent of regular (core) resources and 75 per cent of non-core resources by the fourth quarter of 2009. It is worth noting that UNIFEM received more than half of its non-core resources, equivalent to $45 million out of $76 million, in the fourth quarter of the year, which had an impact on programming and the delivery rate for 2009. For the first time, the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women disbursed grants to United Nations country teams, in addition to Governments and non-governmental organizations. The Fund for Gender Equality made its first grant of $9.99 million in 2009. UNIFEM tracked trends in changes of the ratio of the biennial support budget to resources used and noted a decrease of 0.5 per cent from 2008.

VII. Recommendations

73. The UNIFEM Consultative Committee, which comprises five Member States (Egypt, Chile, the Czech Republic, the Republic of Korea and Sweden) appointed by the President of the General Assembly, held its fiftieth session on 24 and 25 March 2010.

74. The Consultative Committee expressed great appreciation to the Executive Director and the staff of UNIFEM for their work in the past year and made the following recommendations, designed to enhance the Fund's effectiveness.

The UNIFEM Consultative Committee:

1. Emphasizes that UNIFEM is an essential component of the United Nations gender architecture, recommends that UNIFEM continue to be actively involved in the processes leading to a stronger and more coherent United Nations architecture for gender equality and empowerment of women, and in this respect welcomes General Assembly resolution 63/311 which, inter

alia, calls for the establishment of a composite entity for gender equality and the empowerment of women;

2. Welcomes the important work of UNIFEM on the ground and recommends UNIFEM to ensure that its technical and financial support, catalytic programming and strategic partnerships effectively respond to the growing demands of Member States, civil society and United Nations organizations until a new composite entity for gender equality and the empowerment of women is established;

3. Recognizes the improvement in UNIFEM results-based management, encourages its further strengthening, and requests that UNIFEM continue to report to it annually on the strategic plan, emphasizing the links between the inputs, outputs and outcomes and lessons learned, and tracking progress against the baseline according to the key results and indicators;

4. Encourages UNIFEM to analyse the factors that lead to successful replication and upscaling of programme interventions;

5. Further encourages UNIFEM to continue its active participation in the voluntary efforts of the "Delivering as one" pilots and looks forward to the independent evaluation of the "Delivering as one" pilots to be presented to the sixty-sixth session of the General Assembly;

6. Commends UNIFEM on its leadership of the United Nations Development Group Task Team on Gender Equality, welcomes its work as Chair of the United Nations Development Group working group on policy issues and encourages UNIFEM to continue to contribute to the strengthening of the United Nations country team coordinated support to countries to advance gender equality and women's empowerment;

7. Reiterates that UNIFEM should be invited to participate in key high-level inter-agency coordination mechanisms;

8. Encourages UNIFEM to continue to strengthen its partnership with the United Nations Joint Programme on HIV/AIDS (UNAIDS) and to further explore the possibility of co-sponsorship of UNIFEM in UNAIDS;

9. Further encourages UNIFEM to actively participate in the 2010 annual ministerial review of the Economic and Social Council, including, as appropriate, in its preparations, and in the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals, to be held from 20 to 22 September 2010, including in its preparatory process, as outlined in resolution 64/184;

10. Continues to stress the importance of UNIFEM's input into the work of the Commission on the Status of Women and encourages UNIFEM to actively participate in the follow-up to the outcomes of the Commission, as appropriate;

11. Encourages UNIFEM to continue its work in supporting the implementation of Security Council resolution 1325 (2000) on women and peace and security and to actively participate in the commemoration of its tenth anniversary;

12. Further encourages UNIFEM to continue to strengthen its work in support of gender-responsive budgeting;

13. Welcomes the final evaluation report on UNIFEM's partnerships with regional organizations and, in reaction to its findings, encourages the Fund to develop a strategy, including corporate tools for internal guidance, to frame its partnerships with relevant regional organizations;

14. Encourages UNIFEM to pay greater attention to the importance of engaging men and boys in its operations to strengthen gender equality and empower women;

15. Welcomes the continuing work of the UNIFEM Goodwill Ambassadors and takes note with appreciation of the positive impact of their activities;

16. Commends UNIFEM's ongoing advocacy campaign "Say No to Violence against Women" in support of the Secretary-General's multi-year campaign "UNiTE to End Violence against Women" and its participation in other inter-agency coordination efforts to end violence against women;

17. Welcomes the launch of the Virtual Knowledge Centre to End Violence against Women and Girls and encourages UNIFEM to further develop that online platform and explore the possibility of broadening its scope to other thematic areas;

18. Commends UNIFEM for having surpassed the projections identified for resource mobilization in 2009 and the expansion of its partnerships with bilateral donors, civil society and private sector partners, encourages the Fund to continue to broaden its resource base and to seek stronger partnerships in order to meet the resource mobilization targets in its strategic plan, 2008-2013 and stresses the importance of securing predictable voluntary contributions;

19. Requests UNIFEM to respond to requests for support in a manner that strikes an appropriate balance among, and is consistent with, the four thematic areas of the strategic plan;

20. Notes with appreciation the operationalization of the Fund for Gender Equality, looks forward to receive a briefing on its work at the Committee's next annual session and recommends that UNIFEM ensure that the Executive Board is informed of the work of the Fund for Gender Equality;

21. Acknowledges the work of UNIFEM as manager of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, welcomes the evaluation of the Trust Fund and requests UNIFEM to continue to contribute to the implementation of the present recommendations;

22. Emphasizes the importance of reaching the target of annual disbursements of $100 million by 2015 for the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, as set out in the Framework for Action of the Secretary-General's multi-year campaign "UNiTE to End Violence against Women" and encourages UNIFEM and partner organizations to further intensify their resource mobilization efforts;

23. Decides to convene intersessional meetings in 2010 as needed.

United Nations A/65/219

General Assembly

Distr.: General
4 August 2010

Original: English

Sixty-fifth session
Item 65 (a) of the provisional agenda*
Promotion and protection of the rights of children: promotion and protection of the rights of children

Report of the Special Representative of the Secretary-General for Children and Armed Conflict

Summary

The present report is submitted to the General Assembly pursuant to resolution 51/77 and subsequent resolutions on the rights of the child. It covers the period from August 2009 to August 2010. The report outlines critical child protection themes in the context of the changing nature of conflict and its impact on children. It describes an overall situation in which children continue to be the victims of grave violations in situations of conflict around the world, and a prevailing climate of impunity with respect to perpetrators.

Under the overarching frame of the changing nature of conflict, section I of the report highlights critical child protection themes and issues that require concerted attention and action. Section II focuses on addressing the impunity of perpetrators of grave violations against children, including through the judicious use of sanctions and other targeted measures, and stresses the imperative to undertake dialogue specifically for child protection purposes with all parties to a conflict. Section III identifies opportunities to strengthen child protection in United Nations peacemaking and peacekeeping engagements, an area that has seen significant gains in recent years in terms of more consistent and concerted focus on the protection of children.

2010 marks the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. In this regard, the report also highlights the two-year campaign launched by United Nations system partners for the universal ratification of the Protocol by 2012.

* A/65/150.

10-47421 (E) 250810

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The Special Representative's emphasis on field missions continues to be crucial in advancing the cause of children. The Special Representative considers it essential to engage with national Governments to ensure that the United Nations is able to support more effectively the efforts of national institutions in the protection, reintegration and rehabilitation of children.

I. Introduction

1. The present report is submitted to the General Assembly pursuant to resolution 51/77 and subsequent resolutions on the rights of the child. It covers the period from August 2009 to August 2010. The report builds on the previous report of the Special Representative to the General Assembly (A/64/254) by outlining critical child protection themes in the context of the changing nature of conflict and its impact on children. It describes an overall situation in which children continue to be the victims of grave violations in situations of conflict around the world, and a prevailing climate of impunity with respect to perpetrators.

2. The Special Representative's emphasis on field missions continues to be crucial in advancing the cause of children. The main purpose of the visits is to bear witness on the ground to the situation of children and to gain concrete child protection commitments from parties to conflict and facilitate their preparation of action plans to address violations. The Special Representative considers it essential to engage with national Governments to ensure that the United Nations is able to support more effectively the efforts of national institutions in the protection, reintegration and rehabilitation of children. In the reporting period, the Special Representative undertook field visits to the Sudan (November 2009), Nepal (December 2009), Afghanistan (February 2010) and Uganda (May 2010). In addition, retired Major General Patrick Cammaert visited Sri Lanka in December 2009 as a Special Envoy of the Special Representative.

II. The changing nature of conflicts and emerging protection challenges

3. The 1996 Graça Machel study on the impact of armed conflict on children (A/51/306 and Add.1) and the 2007 10-year review of that study (see A/62/228) noted that the changing nature of conflict put children at a higher risk than ever before. Children have become more vulnerable to new tactics of war, including the blurring of lines between military and civilian targets, constriction of humanitarian space and access to affected populations, deliberate targeting of traditional safe havens and critical infrastructures such as educational institutions and medical facilities, and the rise of terrorism as well as counter-terrorism measures. Studies have also shown that armed conflicts hamper the achievement of the eight Millennium Development Goals, six of which promote the rights and well-being of children. Conflicts create an environment in which grave violations are committed against children and, by interrupting or slowing development, children are denied opportunities for a better future. Therefore, the changing nature of conflict and the impact on children continues to be an overarching framework of analysis for the agenda on children and armed conflict.

A. Protection of children in the course of military operations

4. Protecting vulnerable populations, and especially children, should be paramount during military operations. New tactics of war, the absence of clear battlefields and increasingly numerous and diverse parties to conflict in terms of their composition, motivations and character have complicated matters. Moreover,

the rise of terrorism where civilians are the main victims directly challenges the distinction between military and civilian targets, one of the fundamental principles of international humanitarian law. Counter-terrorism and counter-insurgency also blur the line between what is legitimate and what is not in addressing security threats. Raids against predominately civilian targets, including night raids, and the use of aerial bombardment in civilian-populated areas, make children more vulnerable to being killed or maimed and often serve to fuel resentment and conflict.

5. Rules of engagement of armed forces stipulate that the protection of civilians should remain the foremost consideration in the course of military operations. Increasingly, however, the record indicates that these strictures are inadequate to ensure the safety of children. Moreover, as noted by the Secretary-General in his most recent report on children and armed conflict (A/64/742-S/2010/181), there also seems to be a growing practice of putting children in the direct line of danger, through, for instance, their use for intelligence-gathering in military operations. This includes the interrogation of children separated from armed groups during military actions, in contravention of standards that require the immediate transfer of such children to protection actors.

6. In this regard, the development of standard operating procedures by armed forces is critical in order to put in place additional protection measures for children during military operations. Regional and United Nations peacekeeping missions should also prioritize such measures and procedures in the context of peacekeeping engagements or where international forces are supporting national forces in joint operations. These standard operating procedures may vary from one context to another, but a minimum set of measures should include:

(a) Joint military-civilian assessment of the security risk for populations, and especially children, prior to any military action;

(b) Refraining from engaging in combat and/or using heavy artillery in highly populated areas;

(c) Protecting schools and hospitals as zones of peace;

(d) Refraining from occupying or using schools and health facilities, or their vicinity, for purposes that could turn them into military targets;

(e) Undertaking post-operation evaluations of the impact on civilians, including children;

(f) Developing procedures for the reception, treatment and rapid handover to United Nations child protection actors of children separated from armed groups in the course of military operations.

7. Member States seem increasingly resolved to better protect vulnerable populations, including through more explicit civilian protection provisions in peacekeeping mandates. In United Nations peacekeeping, this has led to the development of new operational arrangements such as the Joint Protection Teams and Rapid Response and Early Warning Cell of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The objective of these initiatives is to deepen information as the basis for more effective action; to better coordinate action across civilian, police and military components of peacekeeping operations; and to leverage peacekeeping resources more effectively, in particular the advantage of their physical presence in remote areas where the

access of humanitarian actors may be limited. The evolution of the "conditionality policy" in MONUSCO (ensuring that support to national forces will be provided only if they comply with the condition that they protect civilians) is another healthy practice in the development of peacekeeping norms.

B. Children in detention

8. Detention of children for alleged association with armed groups or other threats to security remains a significant concern. This includes the use of administrative detention in several conflict scenarios. An unknown number of children have been captured, arrested and detained by security and law enforcement forces in contravention of international standards for juvenile justice.

9. Detention of children should be in line with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, which include specific protection with regard to the age of the child, access granted to child protection partners, appropriate legal counsel and provision of psychosocial support and activities. The treatment of children must be based on the objective of their future reintegration into society.

10. Child protection actors have regularly raised specific concerns related to conditions of detention, especially in overcrowded facilities, ill-treatment, including torture by adult detainees and corrections personnel, and acts of sexual violence perpetrated in detention facilities. The age of criminal responsibility is also a specific concern, particularly as it relates to children detained on security-related charges. Emphasis should be placed on alternatives to institutionalization of these children and on non-judicial and restorative processes.

11. Children being detained by multinational forces is also a concern that must be addressed by Member States. In such cases, access by child protection actors to all facilities, including high-security sites, is necessary for ensuring that procedures of detention and due process for children are in line with international standards. Beyond the responsibility and imperative to protect children, this represents a critical issue in respect of the credibility of international and multinational forces.

C. Education under attack

12. A marked characteristic of the changing nature of conflict is deliberate attacks against and destruction of educational infrastructure, including the targeting of schoolchildren and teachers. This is illustrated by data which indicate that over one third of the 72 million out-of-school children of primary school age reside in low-income countries affected by conflict.

13. In response to this crisis of education in conflict and other emergency settings, Member States, United Nations entities and civil society organizations have undertaken a concerted campaign in the past several years, which resulted in the adoption by the General Assembly in July 2010 of resolution 64/290 on the right to education in emergency situations. The resolution affirms that attacks on educational buildings is a war crime and threatens the achievement of the Millennium Development Goals, including in the context of education for all.

14. Another positive development is the recent creation of the interdisciplinary Global Coalition for Protecting Education from Attack, comprising United Nations organizations, non-governmental organizations (NGOs) and researchers. The Coalition will focus on the prevention of attacks on education, effective response, enhanced monitoring and reporting, increased accountability and development of stronger international norms.

15. Beyond the destruction of educational facilities through deliberate targeting or as collateral damage during armed confrontation, attacks against education also present other faces. For instance, there are reports of the use of acid and gas on girl students on their way to or at school, as well as shootings and suicide bombings in school premises. In some contexts, schools are a prime recruiting ground of children by armed groups. Elsewhere, school buildings are used as training centres or as military bases, turning them into high-value military targets.

16. The motivations for attacking teachers, students and school buildings are numerous and cynical, including to achieve military, political or sociocultural objectives. In some cases, attacks are perpetrated as a means of creating a general climate of insecurity, to destabilize local communities or target them for retribution for perceived support of the Government, or to undermine the Government by destroying symbols of State institutions. The result is a growing disregard for the sanctity of schools, the notion that schools, above all other places, are safe havens for children. The consequence is a growing fear among children to attend school, among teachers to give classes, and among parents to send their children to school.

17. Attacks against schools and hospitals have been designated as one of six grave violations that are now systematically recorded under the Secretary-General's monitoring and reporting mechanism on grave violations against children in armed conflict. However, such attacks are still underreported and there remains a lack of knowledge concerning the context of attacks, the perpetrators and their specific motivations, and other factors that need to be understood in order to address the problem.

18. It is imperative that schools and other educational facilities be considered as zones of peace for children — safe havens even in contexts of conflict and instability. The concept of schools as zones of peace should extend also to school instruction and curricula, with emphasis on peace education and fostering cultures of tolerance. There are examples in numerous contexts of educational institutions being hotbeds for radicalization and recruitment of children, a trend that must be countered.

D. Sexual violence

19. Sexual violence against children, particularly in the context of armed conflict, continues to be of utmost concern. Such violations are exacerbated in conflict situations by the general security vacuum and the lack of administrative, law enforcement and judicial infrastructures, among other factors.

20. Sexual violence is often used to achieve military, political and social objectives through, for instance, the targeting of specific ethnicities or terrorizing populations to force displacement. Data indicate that children are particularly vulnerable to sexual violence in and around refugee and internally displaced

population settings, and when they are directly associated with armed forces and groups. Child survivors of sexual violence suffer both physical and psychological consequences, which are often debilitating. This is particularly true for girls who have been raped or forced to "marry" combatants, as well as for their children born of rape.

21. Girls remain the main victims of sexual violence in armed conflict. However, there are increasing reports of sexual abuse committed against boys. This phenomenon is still not adequately understood, and is yet to be comprehensively addressed in advocacy, monitoring, reporting and response. Knowledge about sexual violence against boys continues to be thin, in part because boys are more reluctant to speak out about sexual violence and there is inherently a bias against questioning boys about such abuse.

22. Another aspect that tends to be underestimated is the trauma boys face as perpetrators or witnesses of sexual violence. They may be forced to commit rapes either directly by their commander or indirectly through peer pressure. Many may be forced to witness sexual violence perpetrated by others. It should be noted that through the jurisprudence of the International Tribunal for the Former Yugoslavia (1998, Furundzija case), forcing an individual to witness acts of rapes and other sexual violence is considered as sexual torture under international law.

23. The previous reports of the Special Representative to the General Assembly emphasized the challenges of collecting data and reporting on sexual violence against children in armed conflict. Part of the problem lies in the fact that these acts are considered in many contexts as strong taboos, and as such survivors and communities are not encouraged to speak out. The lack of trust in judicial process and the fear of reprisals accentuate the culture of silence. Yet, more precise and comprehensive information, including details of incidents and the identity of perpetrators is a prerequisite to combating impunity and for more effective response programming. Monitoring, reporting and response to sexual violence requires both new perspectives and new methodologies, as well as more extensive partnerships across the United Nations system and beyond. For example, in the context of United Nations peacekeeping, collaboration between civilian components and United Nations military and police components may entail the matching of information on sexual violence with intelligence gathered on movements of armed parties, as a contribution to the identification of perpetrators, particularly in remote areas where humanitarian presence is thin. At the same time, more precise incident-related information must be complemented by macro-level information as it relates to the scope and trends of sexual violence. More timely and effective programming and dedication of sufficient resources depends on the deepening of all aspects of the information base on sexual violence.

24. In this regard, Security Council resolutions 1882 (2009) and 1888 (2009) challenge United Nations actors to put in place more rigorous monitoring and reporting mechanisms on sexual violence. Resolution 1882 (2009) advances monitoring practice by requiring the Secretary-General to list in his annual report on children and armed conflict parties who commit patterns of rape and other grave acts of sexual violence against children in contravention of international law. The Office of the Special Representative is in the process of developing templates, with the assistance of an international legal expert and former prosecutor of gender cases in the International Tribunal for the Former Yugoslavia and the International

Criminal Tribunal for Rwanda, for action plans to ensure that parties that are listed will enter into agreements with the United Nations to prevent such violations, hold individuals accountable and take action to provide support to the victims.

25. Security Council resolution 1888 (2009) also breaks new ground through its establishment of a focused mandate of the Council dedicated to sexual violence in conflict. These developments have brought a new momentum to address this critical issue, and also represent new challenges in terms of coordinated action among a broad array of United Nations and civil society partners. Beyond the specific focus of the Council on addressing impunity of perpetrators of sexual violence, at the level of the General Assembly the new United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) has been established, with a broad mandate to coordinate the global efforts of the United Nations on gender-related issues as a whole.

26. Although these developments at the level of the General Assembly and Security Council represent critical and complementary advances, it is clear that action at the national level related to the prevention of and response to sexual violence is ultimately of paramount importance. Emphasis must be placed on the development and implementation of comprehensive national strategies to combat sexual violence, particularly in conflict situations and where children are more vulnerable. In this connection, United Nations organizations stand ready to provide technical support to national authorities in developing such strategies, and donors are encouraged to ensure that adequate resources are available for these efforts.

27. Sexual abuse and exploitation by peacekeeping personnel and humanitarian workers remains a challenge and represents a crisis of credibility for the international community as a whole. Since the General Assembly requested the Secretary-General to report on such incidents, there has been an increase in the cases that have been reported, especially in the context of abuses in internally displaced person and refugee settings. The creation in 2002 of the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises represents a step forward in enhancing protection measures. However, even greater commitment is required in implementation of accountability mechanisms and delivery of assistance to survivors. This is a collective responsibility of United Nations entities, regional organizations in the context of their peacekeeping engagements, NGOs and individual Member States in their capacity as troop-contributing countries.

E. Internally displaced children affected by armed conflict

28. In the previous report of the Special Representative to the General Assembly, concerns related to internally displaced children were highlighted and the report included an annex specifying the rights and guarantees for this vulnerable group (A/64/254, annex I). The Assembly acknowledged the guarantees in its resolution 64/162 on the protection of and assistance to internally displaced persons. These rights and guarantees include the principle of non-discrimination, the right to documentation, protection from violence and abuse, the right to essential services, and the requirement that when dealing with internally displaced children the best interest of the child must prevail.

29. A number of regional legal instruments also affirm the rights of internally displaced children, most notably the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention), which was adopted in October 2009. It includes specific provisions reaffirming the right of internally displaced persons to personal documentation, education, protection against recruitment and use in hostilities, kidnapping, abduction, sexual slavery and trafficking, and protection that addresses the special needs of separated and unaccompanied minors, as well as of mothers with young children. The African Charter on the Rights and Welfare of the Child emphasizes the responsibility of States to ensure that internally displaced children receive appropriate protection and humanitarian assistance and pays special attention to the importance of reuniting families separated by displacement. Furthermore, the Council of Europe has adopted a number of recommendations concerning internal displacement, including the right of internally displaced children to education.

30. The Office of the Special Representative continues to focus on this issue as a mandate priority, and in this regard is preparing a working paper stressing the particular vulnerabilities of displaced children and the responsibilities of Governments and other stakeholders in providing them with adequate and timely protection and services.

F. Rethinking reintegration

31. The changing nature of conflict also carries implications and new challenges for the reintegration and rehabilitation of children. The United Nations system has invested significant resources in forging common standards and practice around disarmament, demobilization and reintegration of children. This has contributed significantly to system-wide buy-in and coordination for this critical priority. A tension exists, however, between the need for standardized practice and programmes and the fact that children face very different realities depending on the context. For instance, in settings of protracted conflict, children may be associated with armed forces and groups for many years. Others are abducted across borders, which has raised new challenges for regional coordination among many entities for family tracing, repatriation and reunification. In some contexts, children are increasingly used in terrorist activities and in counter-terrorism actions. It is also clear that the mode and rhythm for funding child disarmament, demobilization and reintegration programmes is increasingly under pressure where structured dialogue with parties to conflict and implementation of action plans to release children have yielded unanticipated caseloads.

32. Such considerations beg the question of whether current disarmament, demobilization and reintegration approaches and programmes are adequate and reflective of the variety of contexts in which children are being recruited and used or the range of their experiences. Another question is whether reintegration programmes are flexible or adaptable enough to address an increasingly broad range of scenarios for children in conflict situations.

33. Such an examination of the premises for child disarmament, demobilization and reintegration could be undertaken in the context of the Paris Principles and Guidelines on Children associated with Armed Forces or Armed Groups, which provide guidance on the basis of lessons learned over the past 10 years. The Paris

Principles also call, as appropriate, for thorough needs assessments and review and reformulation of reintegration programmes through broad consultation of all relevant stakeholders.

III. Combating impunity for violations against children

A. Sanctions and other direct measures for grave child rights violations

34. Those who continue to commit grave child rights violations do so in part because they see that there are few, if any, personal consequences for abusing children. This perception, which is reinforced by the continued lack of direct action against perpetrators, must be redressed. Essentially, the cost of committing grave violations against children must be made prohibitive in terms of the personal consequences for perpetrators.

35. First and foremost, this requires commitment to action at the national level, through local legal and judicial infrastructure and on the basis of national legislation. In addition, such action should extend equally to Government functionaries or high-ranking members of armed forces where evidence of violations exists.

36. Beyond the national level, a central rationale and strategy for the engagement of the Security Council on the issue of children and armed conflict has been to hold perpetrators accountable under international law. The unique means of the Council to impose sanctions and other direct and targeted measures raises the stakes for perpetrators. Thus far, the Council has expressed its readiness to consider targeted measures against perpetrators of grave violations through its resolutions on children and armed conflict, including 1539 (2004), 1612 (2005) and 1882 (2009). Council resolution 1882 (2009) also establishes a linkage between the Security Council's children and armed conflict agenda and its sanctions committees.

37. The Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo has taken the unprecedented step of requesting further information on grave violations against children, and for the first time invited the Special Representative of the Secretary-General for Children and Armed Conflict to brief the Committee in May 2010. As a result, it is anticipated that several names of individuals may be included on the Committee's list of individuals and entities against whom targeted measures will be imposed on the basis of verified information regarding their recruitment and use of children. To date, such close consideration of violations against children has not extended to the work of the other country-specific sanctions committees, but it will be important to build on the precedent set in the context of the Democratic Republic of the Congo in this regard. Possibilities should also be explored for a similar focus on grave child rights violations by other thematic committees, including the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism. It is also important to consider ways by which sanctions may be imposed in contexts where there are no existing Security Council sanctions committees.

38. These explicit expressions of commitment by the Security Council to take measures against perpetrators represent a credible threat of action that has been the basis for negotiation with many parties to conflict for commitments and action plans to address the grave violations for which they have been cited. The lack of action against some of the most persistent and egregious violators over the years is increasingly conspicuous, however, and reflects on the overall credibility of the United Nations agenda for children and armed conflict and on Member States and the Council itself.

39. Even as it is understood that sanctions are a measure of last resort, it is evident that the viability of the children and armed conflict agenda in which Member States have invested so much over the past years depends on the imposition of such measures against those who continue to flout international law and standards for the protection of children.

40. It should be noted that the focus of international criminal justice and mixed tribunals specifically on crimes against children has also raised the stakes in the fight against impunity. The Special Court for Sierra Leone paved the way for sanctioning individuals for child-specific violations by including such crimes in the indictments of all the individuals charged by the Court. This includes former President of Liberia Charles Taylor on counts of recruitment and use of children. In addition, despite the challenges in the trial of Thomas Lubanga Dyilo by the International Criminal Court for recruiting and using children, that case has symbolized the will of the international community to act for children and as such has sent a powerful message to perpetrators. As this is the first case before the International Criminal Court on the issue of children and armed conflict, and having filed an amicus curiae, the Special Representative gave testimony before the Court on the need to adopt a case-by-case method in deciding on what constitutes enlistment and conscription in terms of the statute. The Special Representative urged an interpretation that would not exclude girl children, who play multiple roles in many groups, not only as combatants but as wives and domestic aides.

B. Dialogue with parties to conflict

41. It is the long-held position of the Special Representative of the Secretary-General for Children in Armed Conflict and United Nations child protection partners that the international community must seek to engage all parties to conflict in dialogue for the purpose of eliciting concrete child protection commitments and to ensure that parties prepare and implement action plans to both prevent and address grave violations for which they have been cited. Such dialogue does not prejudge the legal status of non-state parties, nor does it confer legitimacy. The primacy and imperative to protect children must override political considerations.

42. It should be noted that this is consistent with General Assembly resolution 64/146 on the rights of the child, which urges State and non-state actors to end grave violations against children by taking time-bound and concrete protection measures. This presupposes a possibility of dialogue between parties to conflict and protection actors to establish the modalities and verification of such measures.

43. The element of dialogue with parties to conflict for the preparation of time-bound action plans to address grave child rights violations represents one of the centrepieces of the United Nations agenda for children and armed conflict. In the

past several years, numerous parties to conflict in places such as Côte d'Ivoire, Nepal, the Philippines, Sri Lanka, the Sudan, Uganda and elsewhere, have begun to implement action plans that put in place measures to prevent child recruitment and to identify and release children already associated with their forces. As such practical action to address the issue of children associated with armed forces and groups has gained traction, credibility and momentum, the process is now under way to structure similar dialogue and action plans to address other violations, such as the killing and maiming of children and rape and other forms of sexual violence. For the children, this is where the promises of protection of the international community as expressed in international law and resolutions finally become tangible. As the primary duty bearers for the protection of children, Member States are encouraged to devise ways to enable child protection dialogue with State and non-state parties as necessary.

C. Children and transitional justice

44. In his report on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616), the Secretary-General defines transitional justice as the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof. Given the deep impact of conflict on children, child protection actors have advocated for a comprehensive view of the involvement and participation of children in all aspects of transitional justice. To attempt transitional justice processes without involving children not only fails to comply with the Convention on the Rights of the Child — the most universally ratified international instrument — it also compromises the outcome of those processes.

45. The imperative of child participation in transitional justice has gained both credence and clarity in past years. The importance and potential of transitional justice for children is evident. At the same time, it is more widely recognized that their views and experience provide unique and critical contributions to these processes and to national reconciliation.

46. In 2002, the indictment for grave violations against children of all the individuals charged by the Special Court for Sierra Leone, as well as the involvement of children in that country's Truth and Reconciliation Commission, signified a shift that placed the issue of child participation centrally in the international discourse on justice and truth-seeking mechanisms. Since then there has been significant investment to create guidance and common perspectives on the basis of lessons learned and of best practices from Sierra Leone and elsewhere.

47. In this regard, the Innocenti Research Centre of the United Nations Children's Fund (UNICEF) and the Human Rights Program of Harvard Law School convened a meeting of experts and practitioners in April 2009 to consult on new and emerging issues in the area of child rights and transitional justice. This forum led to the publication in March 2010 of *Children and Transitional Justice: Truth-Telling,*

Accountability and Reconciliation. Critically, the publication outlines in an annex the key principles for children and transitional justice.

48. The key principles consist of overarching considerations for children in transitional justice processes as a whole, as well as specific precepts as related to judicial mechanisms, truth commissions and truth-seeking mechanisms, local, traditional and restorative justice processes, reparations for children and institutional reform.

49. The emphasis on institutional reform introduces a number of new issues such as the importance of working with educational experts and officials, the need to undertake legal reform and the urgency of creating economic opportunities for children and young people.

50. The key principles also address the issue of the appropriate form of accountability for alleged child perpetrators, and alternatives to judicial proceedings for children. They highlight the issue that children may simultaneously be victims, witnesses and alleged perpetrators of violations, but stress that they must be viewed primarily as victims in all circumstances.

51. The overarching considerations for the involvement of children in transitional justice processes are set out in the annex to the present report.

IV. Strengthening the child protection role of United Nations peacekeeping and political missions

A. Mainstreaming child protection in United Nations peacekeeping and political missions

52. In June 2009, the Department of Peacekeeping Operations and the Department of Field Support adopted a policy directive on mainstreaming the protection, rights and well-being of children affected by armed conflict. This groundbreaking policy reinforces the crucial role of peacekeeping missions in the protection of children. The directive is built around the key operational elements of the Security Council resolutions on children and armed conflict, in particular resolutions 1612 (2005) and 1882 (2009). The directive therefore specifies the role of peacekeeping operations in key areas such as monitoring and reporting of grave violations against children, the conduct of dialogue with parties to the conflict for the preparation of time-bound action plans to address grave violations for which they have been cited by the Secretary-General, as well as other responsibilities, such as the provision of regular and comprehensive training for civilian, police and military personnel of peacekeeping operations.

53. It is evident that in its early implementation stages the directive has achieved more purposive and coherent mainstreaming of the children and armed conflict agenda in United Nations peacekeeping operations, and as such has enabled the Department of Peacekeeping Operations to more effectively implement relevant Security Council resolutions. The directive is also contributing to more coordinated action by United Nations partners, as it clearly articulates the responsibilities of the Department of Peacekeeping Operations vis-à-vis child protection actors such as UNICEF, ensuring a clear division of labour and complementarity of action.

54. The Security Council does not make a distinction between United Nations peacekeeping missions and special political missions in terms of its expectations for the implementation of resolutions on children and armed conflict. That is to say, the priority that the Council has placed on monitoring and reporting, dialogue with parties to conflict, or inclusion of child protection provisions in peace processes and agreements, applies equally to United Nations peacekeeping operations and to special political missions.

55. Therefore, in May 2010, in an effort to bring consistency across all United Nations missions, the Department of Political Affairs transmitted the child protection directive prepared by the Department of Peacekeeping Operations and the Department of Field Support to all relevant special political missions. This is seen as an interim measure, pending the Department of Political Affairs internal review of the implications for special political missions of Security Council resolutions on children and armed conflict and the institution of a Department of Political Affairs policy. In this regard, it should be noted that the directive is scheduled to be reviewed in June 2011 and it is anticipated that this will present an opportunity for its formal reissuance as a joint policy on child protection of all three Departments. This will be critical to ensure consistent and coherent practice across United Nations peacekeeping and special political missions in the implementation of relevant resolutions.

56. It is also evident that the effective implementation of the directive and consistent follow up of key operational elements of the Security Council resolutions depends on the deployment of the requisite child protection expertise. In recognition of this, the Council has now called for the deployment of child protection advisers to all relevant peacekeeping and political missions. In addition, it should be noted that the General Assembly has also welcomed the deployment and role of child protection advisers, including through Assembly resolution 62/141 on the rights of the child, and through its Special Committee on Peacekeeping Operations (see A/64/19).

57. To date, child protection advisers have been appointed in nine peacekeeping missions and efforts are under way to ensure that special political missions also deploy child protection advisers as required. Child protection advisers have ensured that reports of the Secretary-General on peacekeeping operations and specific country reports on children and armed conflict have more consistently included reliable and timely information and analysis on children and armed conflict and feedback to Member States on implementation of resolutions.

58. Child protection advisers have also ensured that mission senior management is increasingly engaged on child protection at the highest level. More needs to be done, however, to ensure that the protection of children is understood as an explicit responsibility of the heads of United Nations country presence. In this regard, key child protection responsibilities such as monitoring and reporting violations, dialogue with parties to conflict towards preparation of child protection action plans, and systematic inclusion of child protection provisions in agreements during peace processes should consistently be reflected as overall mission success criteria and performance benchmarks for which special representatives for the Secretary-General and resident coordinators are directly accountable.

59. It is notable that most mandates for United Nations peacekeeping and political missions now include reference to child protection as a mandate priority. This

expression of commitment to protect children in the crafting of mandates has not yet, however, consistently translated into budgeting processes and mission staffing. The role of the General Assembly is critical in this regard, particularly in the context of the work of the Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions and the Special Committee on Peacekeeping Operations.

B. Child protection and transition to peacebuilding

60. Another priority and challenge is to ensure that a level of child protection expertise is maintained as peacekeeping operations are drawn down and restructured in transition to peacebuilding configurations. During that phase, it remains critical that the representatives of the Secretary-General retain adequate advisory capacity on child protection within their offices. In particular, child protection advisers will be responsible for ensuring ongoing monitoring and verification of child protection action plans with parties to conflict, as well as maintenance of the cycle of reporting to Member States on implementation of children and armed conflict resolutions and the recommendations of the Security Council Working Group on Children and Armed Conflict, which often remain relevant and in effect through the transition to post-conflict peace consolidation and peacebuilding.

61. Member States are urged to ensure that child protection concerns, including support for reintegration efforts and youth employment, are also explicitly reflected in relevant peacebuilding mandates and in the work of the Peacebuilding Commission through its country configurations.

C. Child protection in mediation, peace processes and agreements

62. Experience has shown that long-term sustainability of peace also depends on addressing specific needs of children in peace mediation processes and resultant agreements. Not to do so carries the risk of children ultimately becoming "spoilers" into the future.

63. One of the key challenges is to overturn the inclination, including of many mediators, that broader political considerations and dynamics may be adversely affected or compromised by child protection issues surfacing at negotiating tables. There is often a reticence to consider the protection of children as a "high line" priority on an equal footing with considerations of achieving or maintaining ceasefires, for instance. Yet, such issues as the immediate cessation of grave violations against children and the unconditional release of all children associated with fighting forces should be seen as fundamental to any ceasefire agreement. Continued violations such as child recruitment, or unwillingness to identify and release children already in fighting forces, must be formally stipulated as violations of ceasefire agreements by parties to a conflict.

64. Other specific issues that should be reflected as integral provisions of peace agreements themselves may include terms for child disarmament, demobilization and reintegration, care of internally displaced children, participation of children in transitional justice frameworks, and specific attention and resources for children in recovery and reconstruction phases.

65. In negotiation terms, the universal moral consensus on the protection of children should be viewed as a comparative advantage, a common point of agreement around which parties can be brought to the negotiating table, and a goodwill prerequisite for broader negotiations. It is imperative that children are not made to wait until peace is settled. Parties should be required to make child protection commitments at all stages of peace processes, whether a ceasefire or peace agreement is close or not.

66. It is therefore a matter of practical consideration that the United Nations, as well as regional mediation infrastructures and initiatives, are committed to incorporating child protection perspectives and expertise. Child protection elements should be routinely included in guidance materials for mediators, in mediation training programmes and in development of mediation tools. This includes establishment of modalities for child protection actors to regularly collaborate with mediation support focal points and to brief the mediators themselves.

IV. Campaign on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

67. The 2007 review of the Machel study stated that international standards and their enforcement were the strongest defence against impunity of child rights violations in armed conflict, yet these would only be effective if and when they were widely known, understood and implemented by everyone. In that spirit and on the occasion of the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (25 May 2000), the Office of the Special Representative, in partnership with the Special Representative of the Secretary-General on Violence against Children, UNICEF and the Office of the United Nations High Commissioner for Human Rights, launched a two-year campaign promoting the universal ratification of the Optional Protocol by 2012.

68. To date, 132 Member States have ratified the Optional Protocol, 24 have signed but not ratified it and 36 have neither signed nor ratified it. Universal ratification is essential for establishing a universal consensus and strengthening customary law with respect to the issues covered by the Protocol.

69. Activities around the campaign to achieve universal ratification of the Optional Protocol include bilateral meetings with Member States that have not signed or ratified the Protocol, advocacy initiatives in multilateral meetings, technical assistance for translating provisions of the Protocol into national legislation and awareness-raising events. The Office of the Special Representative also encourages specific Governments to take the lead at regional and global levels to help ensure universal ratification by 2012.

V. Recommendations

70. **Recalling the recommendations of the 10-year strategic review of the Machel study, as presented to the General Assembly in the Report of the Special Representative (A/62/228), Member States, United Nations agencies,**

funds and programmes and NGOs are urged to continue to reinforce efforts to ensure timely implementation of the range of protection and programmatic measures outlined in the recommendation.

71. **Member States which have not already done so are encouraged to sign and/or ratify the Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflict, to secure universal ratification of the Protocol by 2012. To facilitate the process, Member States with the capacity to do so are encouraged to take the lead at the regional level to advocate for ratification in the context of the regional organizations of which they are members.**

72. **In light of continued grave violations against children in situations of armed conflict, Member States are strongly urged to prioritize the investigation and prosecution of perpetrators through national judicial processes, including high-ranking officials and members of the armed forces as necessary. Furthermore, at the international level Member States are encouraged to take action against persistent perpetrators through the imposition of sanctions and other targeted measures.**

73. **To address the scourge of sexual violence in conflict, Member States are strongly encouraged to prepare and implement, with the support of the United Nations, comprehensive national strategies on sexual violence that address accountability of perpetrators and programmatic response and services for survivors. Donors are urged to ensure that adequate funding is allocated to such initiatives.**

74. **Given the primacy of protecting children, Member States are urged to facilitate as necessary dialogue with all parties to a conflict for the exclusive purpose of eliciting concrete child protection commitments and action plans to address grave violations. Such dialogue is not intended to prejudge the legal status of non-state parties, nor does it confer legitimacy upon them.**

75. **In view of the disturbing trend of civilian casualties, especially children, during the course of military operations, Member States are urged to ensure that national and multinational forces adopt standard operating procedures to mitigate the direct targeting or collateral death and injury of children. Regional and United Nations peacekeeping missions are also urged to support the development of such procedures. If support is given to national forces by international peacekeeping operations it must be on the condition that those forces have procedures in place for the protection of civilians.**

76. **In the context of the global campaign for education in emergencies and in light of trends related to attacks in conflict situations against educational facilities, teachers and students, Member States, United Nations entities and civil society organizations are encouraged to take all measures necessary to promote and enforce the concept of schools as zones of peace. This should extend to the development of curricula with an emphasis on peace education and fostering cultures of tolerance.**

77. **Member States are urged to continue to include child protection as a priority in the mandates of United Nations peacekeeping operations and political missions, and furthermore to ensure that key child protection**

responsibilities are specified as overall mission success criteria and performance benchmarks for which heads of mission are directly accountable.

78. **The Department of Peacekeeping Operations-Department of Field Support child protection policy directive is critical to ensuring that United Nations peacekeeping operations effectively implement child protection resolutions and other recommendations of Member States and its implementation should be further reinforced. The Department of Field Support is also encouraged to co-sign the directive to ensure consistent guidance to all United Nations peacekeeping operations and relevant special political missions.**

79. **The General Assembly, particularly in the context of the work of the Fifth Committee, the Advisory Committee on Administrative and Budgetary Questions and the Special Committee on Peacekeeping Operations, should continue to support adequate budgetary provision for the deployment of child protection advisors to United Nations peacekeeping and political missions to ensure effective implementation of resolutions and mandates on child protection.**

80. **Member States are urged to ensure that child protection aspects are also explicitly reflected in relevant peacebuilding mandates and in the work of the Peacebuilding Commission through its country configurations, and that adequate provision is made for child protection expertise in peacebuilding missions.**

81. **Taking into account the changing nature of conflict and consequently the diverse experience and circumstances of children associated with armed forces and groups, key stakeholders, including UNICEF, other United Nations actors and child protection NGOs are encouraged to continue to review existing conceptual frameworks and programmes for child rehabilitation and reintegration with a view to rendering such interventions more timely, effective and sustainable.**

82. **Member States, bearing the primary duty and responsibility for addressing internal displacement, should abide by their obligations under international law and adhere to the Guiding Principles on Internal Displacement. This includes as provided for in the rights and guarantees for internally displaced children, safeguarding populations on their territory from arbitrary displacement; provision of protection and assistance to those who have been displaced; and supporting and facilitating voluntary, safe and dignified solutions to displacement, particularly as regards children.**

83. **Member States and relevant United Nations entities are urged to ensure that United Nations-led and regional mediation processes prioritize the protection of children at all stages of peace processes and that ceasefire and peace agreements include specific child protection provisions. Child protection elements should be routinely included in guidance materials for mediators, in mediation training programmes and in development of mediation tools, and modalities should be established for regular briefings and exchange between child protection actors and mediators and mediation support focal points.**

84. **In view of continued concerns regarding the detention of children, Member States are urged to ensure that such measures are in line with the United Nations Standard Minimum Rules for the Administration of Juvenile**

Justice, and emphasis should be placed on alternatives to institutionalization of children and on non-judicial and restorative processes. Child protection actors should also have access to any children detained by multinational forces.

85. **The Special Representative brings to the attention of Member States the key principles for child protection and participation in transitional justice and the overarching considerations in this regard as outlined in the annex to the present report, and encourages all relevant stakeholders to endorse and implement those principles. The Special Representative supports the call for the development of common minimum standards on children and transitional justice.**

Annex

Principles for child protection and participation in transitional justice[a]

1. The best interests of the child should guide transitional justice processes.

2. Children must be treated with dignity and respect.

3. Transitional justice mechanisms, including in the design and implementation of policies and child-friendly procedures, should ensure the protection of children against violence and promote their physical and psychological well-being.

4. Protection of the identity of the child and the child's privacy must be guaranteed at all times.

5. Children have the right to participate in decisions affecting their lives. The participation of children should be voluntary, with the informed consent of the child and a parent or guardian. The decision not to participate can also be a form of participation.

6. Policies and procedures to protect the rights of children involved in transitional justice processes should include a specific focus on adolescents and should be consistent with the evolving capacities of the child.

7. A gender-sensitive approach to participation in transitional justice processes should include a focus on the protection of the rights of girls and should address their specific needs and experiences.

8. Participation should be non-discriminatory and should include, as appropriate, diverse ethnic, racial, religious and other groups, and take into consideration the specific needs of children with disabilities.

9. Transitional justice processes should facilitate the realization of children's civil, political, economic, social and cultural rights. A human rights-based approach to transitional justice processes should be holistic and sustainable, addressing the root causes of armed conflict and political violence and strengthening the protective environment for children in their families and communities.

[a] Prepared under the auspices of the United Nations Children's Fund and Harvard Law School, March 2010 (see *Children and Transitional Justice: Truth-Telling, Accountability and Reconciliation*).